

FILED

NOV X 3 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Attorney for Plaintiff

THE UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF CALIFORNIA

GLENTIS A. TURNER,)	Case No.: C08-1269 SI
)	
Plaintiff,)	<u>STIPULATION TO AWARD AND</u>
)	<u>PAYMENT OF ATTORNEY FEES AND</u>
vs.)	<u>COSTS PURSUANT TO THE EQUAL</u>
)	<u>ACCESS TO JUSTICE ACT, 28</u>
MICHAEL J. ASTRUE, COMMISSIONER)	<u>U.S.C. 2412(d)</u>
)	
OF SOCIAL SECURITY,)	
)	
Defendant)	

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff's counsel, as Plaintiff's assignee, be awarded attorney fees under the EAJA in the amount of FIVE THOUSAND DOLLARS AND NO CENTS (\$5,000.00) and costs in the amount of THREE HUNDRED FIFTY DOLLARS AND NO CENTS (\$350.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action for services performed before the district court in accordance with 28 U.S.C. Section 1920 and 2412(d).

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on the part of Defendant

1 under the EAJA. Payment of 5,350 dollars (\$5,350.00) in EAJA
2 attorney fees and costs, shall constitute a complete release
3 from and bar to any and all claims Plaintiff may have relating
4 to EAJA fees in connection with this action. Any payment shall
5 be made payable to Plaintiff's counsel as Plaintiff's assignee
6 and delivered to Plaintiff's counsel.

7 This award is without prejudice to the rights of
8 Plaintiff's counsel to seek Social Security Act attorney fees
9 under 42 U.S.C. Section 406, subject to the provisions of the
10 EAJA.

11 Respectfully submitted on 10/27/09.

12
13 Dated: 10/27/09 /s/ Lynn Crawford

14 Lynn Crawford
15 Attorney for Plaintiff

16
17 DIANE HUMETEWA
United States Attorney

18 Dated: 10/27/09 /s/ Armand D. Roth
19 Special Assistant U.S. Attorney
20 Attorneys for Defendant

21 **CERTIFICATE OF SERVICE**

22 I, Lynn Crawford, by signing below, certify pursuant U.S.
23 District Court, Northern District of California, General Order
24 No. 45, Section X, that the content of this Stipulation is
25 acceptable to all registered signatories required to sign it. I
26 hereby certify that on 10/30/09, I electronically transmitted
27 the attached document to the Clerk's Office using the ECF System
28

1 for filing and transmittal of a Notice of Electronic Filing to
2 the following ECF registrants:
3

4 Armand D. Roth
5 Special Assistant United States Attorney
6 333 Market Street, Ste 1500
7 San Francisco, CA 94105
8 Telephone: (415) 977-8924
9 Fax: (415) 744-0134
10 E-Mail: Armand.Roth@ssa.gov
11

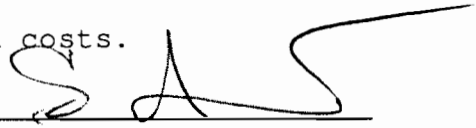
12 /s/ Lynn Crawford
13 Attorney for Plaintiff
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THE UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF CALIFORNIA

GLENTIS A. TURNER,)	Case No.: C08-1269 SI
)	
Plaintiff,)	<u>PROPOSED ORDER</u>
)	
vs.)	
)	
MICHAEL J. ASTRUE, COMMISSIONER)	
)	
OF SOCIAL SECURITY,)	
)	
Defendant)	

Based upon the parties' Stipulation for Award and Payment of Equal Access to Justice Act Fees and costs, IT IS ORDERED that Plaintiff's counsel, as Plaintiff's assignee, shall be awarded attorney fees and costs under the EAJA in the amount of \$5,350.00, as authorized by 28 U.S.C. Section 2412(d), subject to the terms of the above-referenced stipulation. Defendant will notify the appropriate component of the Social Security Administration for payment of fees and costs.



SUSAN ILLSTON
United States District Judge

11/2/09